

Notice of Allowability

Application No.

10/650,452

Applicant(s)

SARAH ZERBINI ET AL

Examiner

James R. Scott

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed on 8/27/03 and 2/19/04.
2. ☒ The allowed claim(s) is/are claims 1-28.
3. ☒ The drawings filed on 27 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>20040219</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

CLAIMS

Original claim 15 has been cancelled and the following amended claim 15 has been inserted therefor.

15. (amended) The sensor according to claim 14 wherein said weakened regions are made at respective vertices of said first and second sample elements.

The claim has been corrected to separate two joined words in the original claim 15. Note the phraseology 14 wherein in the original claim 15.

DRAWINGS

The drawings as originally filed have been approved.

CITED REFERENCES

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohmi et al, Takeuchi et al and the two WIPO patent documents constitute prior art cited by the applicant pertaining to impact detection mechanisms/circuitry. Note the enclosed form PTO-1449.

Eliacin et al discloses a MEMS device having a cantilevered beam structure 113.

Hambleton et al disclose the use of notches 23' in a rupturable area of a membrane horn switch. Azema discloses a pressure actuated circuit breaker with a frangible printed circuit board and constitutes a safety protection switch. Yokozawa et al disclose the use of drop detection systems for portable information processing apparatus including a acceleration sensor related part. Fowler teaches the use of an acceleration response switch consisting two parts held together by a plastics material including a notched peripheral area 32. Kunczynki discloses the use of a frangible flexible printed circuit sensor whose continuous circuit path 46 is broken by a derailed cable. Olivier et al disclose the use of a pressure-operated part 38 which severs a frangible element having a continuous circuit path 26.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art does not disclose the use of a cellphone having an inertial sensor configured to permanently change conductive property of a conductive path in response to a preselected acceleration, and a circuit configured to detect a change in the conductive properties of the conductive path or does the prior art teach the use of an inertial sensor with failure threshold including a first body and a second body, which are moveable relative to one another and are constrained by a plurality of elastic elements, and at least a first sample element connected between said first body and said second body and shaped so as to be subjected to a stress when said second body is outside of a relative resting position with respect to said first body, and having a weakened region.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Summary

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Scott whose telephone number is (571) 272-1999. The examiner can normally be reached on Monday-Friday between 1 to 5 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Scott
Primary Examiner
GAU 2832

JRScott: jrs
9/30/2004